

Judge Marrero

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

COUNT ONE

The Grand Jury charges:

1. From on or about August 17, 2007, up to and including on or about August 22, 2007, in the Southern District of New York and elsewhere, OYEWALE OLANIBI, a/k/a "Joseph Abad," the defendant, unlawfully, willfully, knowingly, and with intent to defraud, as part of an offense affecting interstate commerce, did effect transactions with one and more access devices issued to another person and persons, to receive payment and other things of value during a one-year period the aggregate value of which is equal to and greater than \$1,000, to wit, OLANIBI used a credit card issued to another person, without authorization, to obtain cash from Automatic Teller Machines in the Bronx, the value of which exceeded \$1,000.

(Title 18, United States Code, Sections 1029(a)(5) and 2.)

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DATE FILED: SEP 24 2007

COUNT TWO

The Grand Jury further charges:

2. From on or about August 17, 2007, up to and including on or about August 22, 2007, in the Southern District of New York and elsewhere, OYEWALE OLANIBI, a/k/a "Joseph Abad," the defendant, during and in relation to the felony violation charged in Count One of this Indictment, unlawfully, willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, OLANIBI did possess and use, without lawful authority, a credit card issued to another person.

(Title 18, United States Code, Section 1028A(a)(1).)

COUNT THREE

The Grand Jury further charges:

3. From on or about March 17, 2007, up to and including on or about August 23, 2007, in the Southern District of New York and elsewhere, OYEWALE OLANIBI, a/k/a "Joseph Abad," the defendant, unlawfully, willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person with the intent to commit, and to aid and abet, and in connection with, unlawful activity that constitutes a violation of Federal law, and that constitutes a felony under applicable State law, to wit, OLANIBI possessed, without lawful authority, a means of

identification of numerous other persons, some of which he used to obtain money unlawfully.

(Title 18, United States Code, Sections 1028(a)(7).)

FORFEITURE ALLEGATION

4. As a result of committing one or more of the foregoing offenses alleged in Counts One, Two, and Three of this Indictment, OYEWALE OLANIBI, a/k/a "Joseph Abad," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting or derived from proceeds obtained directly or indirectly as a result of the said offenses, including but not limited to the following: at least \$4,500, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the said offenses charged in Counts One, Two, and Three of this Indictment, for which the defendant is liable.

Substitute Asset Provision

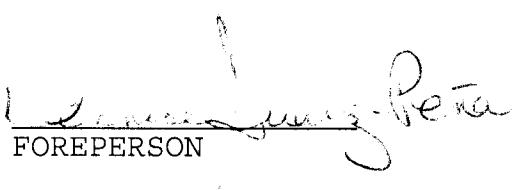
5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or
(5) has been commingled with other property which
cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C.
§ 982(b), to seek forfeiture of any other property of said
defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982 and
Title 18, United States Code, Sections 2, 1028, 1028A, 1029.)


FOREPERSON

Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

OYEWALE OLANIBI,

Defendant.

INDICTMENT

07 Cr.

(18 U.S.C. §§ 1029(a)(5),
1028(a)(7), 1028A, and 2)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Jennise Suarez-Pena
Foreperson.

9/24/07 Filed Indictment. Case Assigned to
Judge Mervin. 8/15/07 Judge lat